

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 2/28/08

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RICHARD CLARK,

Plaintiff,

-against-

BEAN DREDGING LLC, BEAN EXCAVATIONS :  
LLC, & C.F. BEAN, LLC,

Defendants.  
----- x

:  
:  
07 Civ. 8174 (SHS) (AJP)

: **ORDER OF DISMISSAL ON CONSENT**

**ANDREW J. PECK, United States Magistrate Judge:**

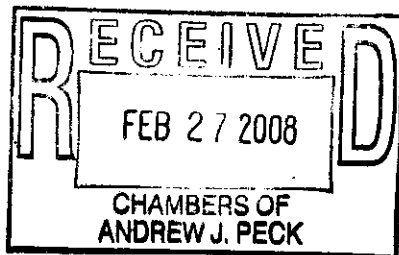
The parties having informed the Court that they have reached a settlement agreement in principle and are finalizing settlement documents (see attached letter), IT IS HEREBY ORDERED THAT this action is dismissed with prejudice and without costs, provided, however, that any party may reinstate the action within 15 days hereof if the settlement is not fully effectuated. Any pending motions are to be terminated as moot.

SO ORDERED.

DATED: New York, New York  
February 28, 2008

  
\_\_\_\_\_  
Andrew J. Peck  
United States Magistrate Judge

Copies **by fax & ECF** to: Samuel J. Rosenthal, Esq.  
Michael H. Zhu, Esq.  
Michael B. McCauley, Esq.  
Judge Sidney H. Stein



February 27, 2008

*Sent via facsimile 212-805-7933*

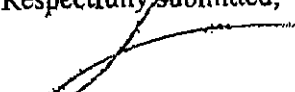
United States Magistrate Judge Andrew J. Peck  
United States District Court, Southern District of New York  
500 Pearl Street, Room 1370  
New York, New York 10007-1312

Re: Clark v. Bean Dredging  
07-CIV-8174 (SHS)

Dear Magistrate Judge Peck:

Please be advised that the parties have been able to amicably resolve the above referenced matter. Accordingly there will be no need for the conference now scheduled for 2:30 p.m. tomorrow, February 28, 2008. We appreciate the court's time and effort in helping the parties resolve this case.

Respectfully Submitted,

  
Samuel J. Rosenthal

SJR/tmw

cc: Michael B. McCauley, Esquire (via Facsimile 215-625-0185)  
Michael H. Zhu, Esquire